

## REMARKS

Claims 1-3, 5-7, 10-12 and 16-18 are pending in the application.

Claims 11, 16, 18 and 19 are amended.

Claims 1-3,5-7,10-12 and 16-18 are rejected.

Claim 11 has been amended to change "comprised" to comprises. Support for this can be found on page 7, paragraph 4.

### **35 U.S.C. 112, second paragraph**

Claims 16-19 are rejected under 35 U.S.C. 112, second paragraph. Claims 16, 18 and 19 are amended as the Examiner has suggested. No new matter has been added. The Applicants submit that the rejection is overcome and request reconsideration by the Examiner.

### **35 U.S.C. 103(a)**

Claims 1-3, 5-7, and 10-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pearson, US 5,788,867 in view of Quinn et al., US 3,977,971 and Pickering et al, US 5,902,487.

The instant invention claims a regidification process by combining polymeric particles with the material during or prior to pumping the material, wherein the polymer particles are added as solid grade polymer particles and comprise water-soluble polymer which has an intrinsic viscosity of at least 3 dl/g.

Only Pearson et al deals with a process within the same technical area as the instant invention namely improving of rigidification of red mud.

However, the instant invention is clearly distinguished from the teaching of Pearson. Pearson expressly demands that the polymers are added as water-in-oil polymer emulsion. (see col. 3,

line 20 – 22, also claim 1, section (a), col. 2, line 30-33, and examples 6 and 8-13). Thus, Pearson clearly leads away from adding the polymers as solid grade water-soluble polymers as in the instantly claimed process.

Pearson does not describe the instantly used polymers having specific intrinsic viscosity. Moreover, it is not mentioned or shown in any of Pearson's 53 examples that the polymers can be added during or prior to pumping the material. Furthermore, the advantages of the instant process (see e.g. last paragraph on page 14 to second paragraph on page 15) are not mentioned in the reference.

Quinn et al deals with an "improved method of flocculating solids dispersed and suspended in an aqueous medium". Flocculation means conversion of finely suspended or dispersed solid particles to larger entities, which can thus more easily be separated. This has nothing in common with rigidification. There is no suggestion within this disclosure that would lead one skilled in the art to combine the water-soluble polymer particles of Quinn for the purposes of rigidification as in Pearson.

Prior to the instant invention there existed a need to provide a process that more effectively and conveniently allows a material to be pumped readily as a fluid and which on standing will rigidify to provide a stackable solid waste. There is not the slightest hint in Quinn's teachings that adding of flocculent would reduce that problem. The Examiner's combination of the teachings of Pearson and Quinn is therefore improper.

The same reasoning applies to Pickering et. al. This reference deals with a plant for conditioning and dewatering a suspension comprising a continuous filtration system or a continuous centrifugal dewatering apparatus. No such system or apparatus is used or is necessary in the inventive process. Pickering clearly leads away from every process in which no filtration system or dewatering apparatus is used. Therefore the Examiner's combination of the teachings of Pearson and Pickering is also improper.



Reconsideration and withdrawal of the rejection of claims 1-3, 5-7,10-12 and 16-18 is respectfully solicited in light of the remarks and amendments above.

Since there are no other grounds of objection or rejection, passage of this application to issue with claims is earnestly solicited.

Applicants submit that the present application is in condition for allowance. In the event that minor amendments will further prosecution, Applicants request that the examiner contact the undersigned representative.

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